

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JENNY EKHOLM,

Plaintiff,

-against-

NORTH SHORE LONG ISLAND JEWISH
HEALTH SYSTEMS,

Defendant.

=====X

FIRST AMENDED
COMPLAINT

Docket No.: CV 06 2080
(MJT) (TH)

PLAINTIFF DEMANDS A
TRIAL BY JURY

Plaintiff JENNY EKHOLM, by her attorneys, MORELLI RATNER PC, complaining of the Defendant herein, upon information and belief respectfully alleges as follows:

1. Plaintiff JENNY EKHOLM is a resident of the City of New York, County of Queens, and State of New York.
2. Plaintiff JENNY EKHOLM is a woman.
3. At all times hereinafter mentioned, Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS was and is a corporation duly organized and existing under and by virtue of the laws of the State of Delaware, with its principal place of business in the City of Manhasset, State of New York. Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS has approximately 500 employees.
4. During the period of on or about February 16, 2004 through on or about August 26, 2005, Plaintiff JENNIE ELKHOLM was employed by Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS (hereinafter, "NORTH SHORE") as a Genetic Data Analyst.

5. During Plaintiff's employment with Defendant **NORTH SHORE**, commencing approximately September 2004, Anil Malhotra, M.D. was and remains Director of the Psychiatry Research Department, a supervisor, manager and employee of Defendant **NORTH SHORE**. During Plaintiff's employment, from approximately February 2004 until approximately June 2005, Dr. Malhotra was Plaintiff's immediate supervisor.

6. Throughout Plaintiff's employment with Defendant **NORTH SHORE**, commencing from approximately February 2004 through approximately August 2005, Chantal Weinhold was Director of Human Resources, a supervisor, manager and employee of Defendant **NORTH SHORE**.

7. At all times material to this Complaint, the individual officers, directors, supervisors, managers, employees and/or agents mentioned herein, acted within the scope of their duties as officers, directors, supervisors, managers, employees and/or agents of Defendant **NORTH SHORE**.

8. Jurisdiction of the subject matter of this action is established in this Court under Title VII of the United States Civil Rights Act of 1964, as amended, Title 42 of the United States Code, Section 2000-e(f)(3). This is the proper venue for this action under Title VII of the United States Civil Rights Act of 1964, as amended, Title 42 of the United States Code, Section 2000 *et seq.*, in that unlawful acts alleged herein were committed within this Court's jurisdiction.

9. On or about March 8, 2005, Plaintiff **JENNY EKHOLM** filed a discrimination claim with the New York State Division of Human Rights and the EEOC. Plaintiff filed an Amended discrimination charge with the New York State Division of Human Rights and the EEOC on or about September 27, 2005.

10. On or about February 3, 2006, Plaintiff received a Notice of Right to Sue from the

EEOC.

GENERAL ALLEGATIONS OF GENDER DISCRIMINATION, SEXUAL HARASSMENT, AND A SEXUALLY HOSTILE WORK ENVIRONMENT

11. The allegations set forth above and below are incorporated by reference as if fully set forth herein.

12. Throughout her employment at Defendant NORTH SHORE, Plaintiff JENNY EKHOLM was treated differently than male employees at the company.

13. This disparate treatment included her subjection to *quid pro quo* sexual harassment, a sexually hostile work environment, and gender discrimination, by directors, officers, supervisors, managers, employees and/or agents of Defendant NORTH SHORE.

14. From on or about February 2004 through her termination on or about August 26, 2005, Plaintiff was treated by Dr. Anil Malhotra and other male directors, officers, supervisors, and managers, in a demeaning manner, and was treated differently than male employees in identical and/or similar employment circumstances.

15. This disparate treatment included different standards of conduct, unequal pay, unequal work assignments, unequal benefits, unequal opportunities, unequal promotion, and unequal disciplinary measures directed toward Plaintiff and other female employees as opposed to male employees similarly employed by and situated at Defendant NORTH SHORE.

16. Within Defendant NORTH SHORE there was and continues to be a permissive and encouraging environment for gender discrimination and sexual harassment among supervisors, managers and employees of the company.

17. Throughout her employment at Defendant NORTH SHORE, Plaintiff JENNY EKHOLM was subjected to *quid pro quo* sexual harassment and a sexually hostile work

environment, perpetrated by Dr. Malhotra, a Director, supervisor, employee and/or agent of Defendant NORTH SHORE.

18. Within Defendant NORTH SHORE there was and continues to be a permissive and encouraging environment for sexual harassment among supervisors of the company.

19. During the period from approximately February 2004 through approximately August 2005, extending prior to and subsequent to those dates, Defendant NORTH SHORE, its officers and agents, harassed and intimidated Plaintiff, and created and maintained a sexually hostile work environment through explicit, rampant, pervasive and continued sex discrimination and sexual harassment against Plaintiff and other members of the protected class to which Plaintiff JENNY EKHOLM belongs.

SPECIFIC ALLEGATIONS OF GENDER DISCRIMINATION, SEXUAL HARASSMENT AND A SEXUALLY HOSTILE WORK ENVIRONMENT

20. During Plaintiff's employment from February 16, 2004 to approximately June 2005, Plaintiff's direct supervisor at Defendant NORTH SHORE was Dr. Anil Malhotra, a male. Dr. Malhotra became Director of the Psychiatry Research Department in September 2004.

21. Upon Plaintiff's commencement of employment, Dr. Anil Malhotra boasted to other employees in Defendant NORTH SHORE's Psychiatric Research Department, including Psychometrician Donna O'Shea: "everyone in the [genetics] field thinks I'm sleeping with [Plaintiff] JENNY because she's a blonde."

22. Shortly after Plaintiff's commencement of employment in approximately February 2004, Dr. Malhotra told Defendant NORTH SHORE's Assistant Coordinator Mike Mehler that the sole reason he hired Plaintiff for his Research Department was so he "could fuck her."

23. During her employment, from about February 2004 through April 2004, approximately on to two times per week, Dr. Anil Malhotra ogled Plaintiff **JENNY EKHOLM** from head to toe in a lewd and lascivious manner. This conduct made Plaintiff feel upset and disgusted.

24. Shortly after assuming the position of Director of the Psychiatry Research Department in approximately September 2004, Dr. Anil Malhotra announced to Assistant Coordinator Mike Mehler that now that he was Director, the only employees that would be hired for the Department would be blondes, and if he had to hire male employees, they had to be very good at softball.

25. Shortly after Plaintiff **JENNY EKHOLM** began working at Defendant **NORTH SHORE**, Plaintiff learned that Dr. Anil Malhotra sought and expected to have an intimate, sexual relationship with her.

26. On information and belief, during Plaintiff's employment, Dr. Anil Malhotra engaged in sexual relationships with several female employees under his supervision at Defendant **NORTH SHORE**.

27. During Plaintiff's employment, Dr. Anil Malhotra admitted to a friend that he had a role in dissolving two marriages of Defendant **NORTH SHORE**'s female employees, employees with whom he had sexual relationships.

28. On numerous occasions during Plaintiff's employment at Defendant **NORTH SHORE**, Dr. Anil Malhotra was discovered behind closed, locked doors with a female employee at the office. On one occasion in approximately Winter 2004, Dr. Malhotra was discovered having sexual intercourse with a female employee, Senior Research Coordinator Pam DeRosse, at the workplace.

29. Throughout her employment, approximately weekly, Defendant NORTH SHORE's male employees, including Dr. Malhotra, rated the body parts of female employees, in the presence of female employees, and made audible comments such as: "look at her hooters," and "check out those boobs," in reference to his colleagues' breasts. Dr. Malhotra and other male employees also routinely made comments about the derriere of various female employees such as: "nice ass." Plaintiff was shocked.

30. At one meeting in approximately Fall 2004 held at Defendant NORTH SHORE's workplace, in Psychometrician Donna O'Shea's office, Dr. Anil Malhotra stated that he needed to "pee like a racehorse." Neuropsychology Department Research Psychologist Kate Burdick, responded: "that implies you've got something horse-like." Dr. Anil Malhotra replied: "Baby, I got that covered." Plaintiff was repulsed.

31. Throughout her employment approximately weekly during staff meetings, Dr. Anil Malhotra and Research Psychologist Kate Burdick played a "game" in which the goal was to use the word "hippopotamus" in a sentence as frequently as possible. Plaintiff JENNY EKHOLM was informed by Psychometrician Donna O'Shea that the word "hippopotamus" was their code word to signal a desire for a sexual encounter later in the evening.

32. On approximately a weekly basis between approximately the commencement of her employment in February 2004 through April 2004, at work-related social functions, Dr. Anil Malhotra advocated sexual trysts among three persons. Dr. Malhotra also repeatedly advised in Plaintiff's presence that "every female should have a lesbian affair at least one time." Moreover, Dr. Malhotra asked Plaintiff to name a female colleague with whom she would be willing to have sex. Plaintiff found Dr. Malhotra's comments incredibly inappropriate and embarrassing.

33. In approximately April or May 2004, Plaintiff stopped attending work-related social outings with Dr. Malhotra and his staff. Once it became clear to Dr. Malhotra that Plaintiff JENNY EKHOLM was not interested in a sexual relationship with him, and disapproved of his actions, Plaintiff was retaliated against by Dr. Malhotra for her refusal to submit to his sexual advances.

34. Throughout her employment with Defendant NORTH SHORE, Plaintiff received positive formal evaluations. Nevertheless, because she refused to submit to his sexual advances, Plaintiff was subjected to retaliation.

35. Commencing approximately Spring 2004, Dr. Malhotra attempted to sabotage Plaintiff's job performance by instructing her to delay conducting some experiments while simultaneously informing her colleagues that she was not doing any work on the experiments.

36. As part of Defendant NORTH SHORE's job offer, Plaintiff JENNY EKHOLM was promised she would be sent to *at least* three scientific conferences per year.

37. Throughout her employment, Plaintiff JENNY EKHOLM only attended one professional conference, the World Congress on Psychiatric Genetics in Dublin, and at her own expense. Moreover, Plaintiff was unable to present her own genetics data and research at the conference because Dr. Malhotra did not provide his approval.

38. Instead of sending Plaintiff to the Dublin Conference, at Dr. Malhotra's request Defendant NORTH SHORE paid to send Research Psychologist Kate Burdick, a female employee with whom Dr. Malhotra was having a sexual relationship, to present Plaintiff's genetics data and research, even though Ms. Burdick did not have expertise in the field of genetics. During the conference in Dublin, Dr. Malhotra invited both Plaintiff and Ms. Burdick to his hotel room. Ms. Burdick went; Plaintiff declined.

39. During Plaintiff's employment, Research Psychologist Kate Burdick was sent, at Defendant NORTH SHORE's expense, to approximately eight professional conferences. Approximately four of those conferences were specifically related to Plaintiff's field rather than Ms. Burdick's area of expertise.

40. In addition, Dr. Malhotra treated Plaintiff JENNY EKHOLM in an increasingly hostile manner, subjecting her to unfair criticism and harsh treatment.

41. In approximately January 2005, in direct retaliation for her refusal to submit to his sexual advances, Dr. Malhotra asked Plaintiff JENNY EKHOLM to resign, and threatened to fire her if she refused.

42. In further retaliation, Dr. Malhotra retaliated by lying about Plaintiff JENNY EKHOLM's work ethic and tarnishing her reputation to professional colleagues and prospective employers. For instance, Dr. Malhotra falsely represented to one Research Scientist that Plaintiff JENNY EKHOLM engaged in illicit drug use, did not come to work, and "partied in Manhattan every night."

43. On or about March 4, 2005, Plaintiff JENNY EKHOLM met with Human Resources representative Monica Rauls and complained of discrimination and harassment in the workplace. However, as set forth below, Plaintiff was only subjected to further retaliation culminating in her termination on August 26, 2005.

44. As a consequence of the foregoing gender discrimination, *quid pro quo* sexual harassment and sexually hostile work environment, Plaintiff JENNY EKHOLM suffered severe depression and was forced to take a medical leave of absence for two months, from approximately March 30, 2005 through June 1, 2005.

45. Although Plaintiff JENNY EKHOLM's office was locked during her medical

leave of absence, following her return she discovered that an unknown person had logged onto her computer. Plaintiff JENNY EKHOLM's colleagues expressed shock when she returned to work because they were told during the weekly lab meeting that she had resigned her job and returned to Finland.

46. From June 1, 2005, until her wrongful termination on or about August 26, 2005, JENNY EKHOLM continued to fulfill her duties as Research Scientist, analyzing a data set and writing a manuscript while simultaneously working in the laboratory. Her performance during that time was highly productive according to performance standards in the field of genetics. Indeed, Plaintiff JENNY EKHOLM's work product was comparable to or greater than that of her peers working for Dr. Malhotra on the clinical side.

47. Nevertheless, as a consequence of this ongoing gender discrimination, sexual harassment, sexually hostile work environment and the retaliation set forth below, Plaintiff JENNY EKHOLM's employment was terminated on August 26, 2005.

48. As a consequence, Plaintiff JENNY EKHOLM has suffered and continues to suffer severe emotional distress, including severe depression. Moreover, since her termination, Plaintiff has suffered significant economic loss, including but not limited to loss of income and benefits.

49. The allegations set forth above and below are incorporated by reference as if fully set forth herein.

SPECIFIC ALLEGATIONS OF RETALIATION

50. The allegations set forth above are incorporated by reference as if fully set forth herein.

51. Throughout her employment at Defendant NORTH SHORE, Plaintiff JENNY EKHOLM received good formal performance evaluations and her production was comparable to or better than that of her peers.

52. As set forth hereinabove, once Dr. Malhotra gleaned that Plaintiff JENNY EKHOLM would not submit to his expectation of a sexual relationship, Dr. Malhotra retaliated against Plaintiff JENNY EKHOLM.

53. As set forth above, on or about October 2004, Dr. Malhotra refused to allow Plaintiff JENNY EKHOLM to present genetic data that Plaintiff had researched at a scientific conference in Dublin held October 9 through October 13, 2004. Instead, Dr. Malhotra opted to send *gratis* Research Psychologist Kate Burdick, a less qualified female employee with whom he was engaged in a sexual relationship. Moreover, Dr. Malhotra required Plaintiff JENNY EKHOLM to teach Ms. Burdick how to present Plaintiff's own data at the conference.

54. As set forth above, throughout her employment, Dr. Malhotra refused to allow Plaintiff JENNY EKHOLM to attend any other scientific conferences.

55. As set forth above, Dr. Malhotra further retaliated by lying about Plaintiff JENNY EKHOLM's work ethic and tarnishing her reputation to professional colleagues and prospective employers. Moreover, Dr. Malhotra threatened, without just cause, to terminate Plaintiff's employment.

56. Plaintiff JENNY EKHOLM complained about Dr. Malhotra's sexual harassment, the sexually hostile work environment, gender discrimination and Dr. Malhotra's retaliation to the Human Resources Department of Defendant NORTH SHORE on or about March 4, 2005.

57. After some delay, Defendant NORTH SHORE's Office of Corporate Compliance commenced its purported investigation of Plaintiff JENNY EKHOLM's allegations concerning

Dr. Malhotra's conduct. On the day the investigation began, Dr. Anil Malhotra told his staff that an unknown person had filed a harassment charge against him, and that person was going to be fired.

58. In approximately June 2005, Dr. Malhotra met with members of the Psychiatry Research Department in an attempt to intimidate his subordinates and discourage the investigation of Plaintiff JENNY EKHOLM's allegations. Dr. Malhotra told the Department members the Human Resources Department had informed him of the exact nature of the statements made by the Department members.

59. In direct retaliation for her sexual harassment complaint, Dr. Malhotra provided female employees with whom he was having sexual relationships data analyzed by Plaintiff JENNY EKHOLM so that they could publish the data as their own work product and receive the credit. Plaintiff JENNY EKHOLM's name was not included in a paper published by her colleagues, despite the fact that she had provided them with the advanced statistical results, without which the paper would not exist.

60. In further direct retaliation for her sexual harassment complaint, the entire lab in which Plaintiff JENNY EKHOLM had worked at the North Shore campus was emptied of equipment, reagents, and a 2,500 DNA sample set. Because the DNA sample set was essential for all of Plaintiff JENNY EKHOLM's experiments, its removal meant she could not work.

61. At the Hillside work site, Plaintiff JENNY EKHOLM's nametag was removed from her door and another employee had been using her work desk.

62. On or about June 1, 2005, Plaintiff JENNY EKHOLM complained about the retaliatory acts to Chantal Weinhold, Defendant NORTH SHORE's Human Resources Director. Plaintiff JENNY EKHOLM was subsequently advised not to communicate with

Defendant NORTH SHORE Hillside's staff. Furthermore, Ms. Weinhold instructed Plaintiff to limit her work space to the North Shore office in order to avoid Dr. Malhotra. Plaintiff did so, but subsequently discovered that Dr. Malhotra had further damaged her reputation by spreading rumors that she was forbidden to enter Hillside as punishment for filing a false report concerning him.

63. On or about June 2, 2005, Plaintiff JENNY EKHOLM met with Ms. Weinhold to discuss the outcome of Defendant NORTH SHORE's internal investigation of her sexual harassment complaint. Although Ms. Weinhold admitted that the circumstances were "unfortunate" and that Defendant NORTH SHORE would watch Dr. Anil Malhotra's behavior, she was otherwise vague about the outcome of the investigation. Strangely, during the course of a meeting purportedly concerning Defendant NORTH SHORE's investigation of her sexual harassment charges, Ms. Weinhold informed Plaintiff JENNY EKHOLM that she hoped the final part of her dissertation would be completed by September 2005. At the time of their discussion, the only outstanding requirement for Plaintiff JENNY EKHOLM's Ph.D. was her final oral presentation defending her dissertation, which had to be held in Finland. This was the first time anyone at Defendant NORTH SHORE discussed a time frame concerning Plaintiff JENNY EKHOLM's Ph.D.

64. As a consequence of Dr. Malhotra's ongoing retaliation and Defendant NORTH SHORE's failure to redress her complaints, Plaintiff JENNY EKHOLM experienced heightened anxiety, depression and stress at work. Therefore, Plaintiff requested and received permission to use the remainder of her vacation. Plaintiff originally planned to start vacation the last week of July, but postponed the vacation in order to finish up lab work.

65. Although Plaintiff JENNY EKHOLM continued to work in a productive manner,

upon returning from vacation, Plaintiff was summarily fired on or about August 26, 2005. At the time of her firing, Human Resources Director Weinhold told Plaintiff that the primary reason for her termination was that she took a three-week vacation. However, Ms. Weinhold had approved Plaintiff's vacation in advance of her taking it. In addition, Plaintiff's vacation schedule was approved in advance by her new supervisor, Dr. Todd Lencz.

66. On or about August 26, 2005, without warning or cause, Plaintiff JENNY EKHOLM's employment was terminated by Defendant NORTH SHORE in direct retaliation for her complaints concerning the ongoing and pervasive sexual harassment, sexually hostile work environment, discrimination and retaliation that was directed toward her and permeated Defendant NORTH SHORE throughout Plaintiff's employment.

67. As a consequence of Defendant NORTH SHORE's conduct, Plaintiff JENNY EKHOLM has suffered and continues to suffer severe emotional distress, including depression. Moreover, since her termination, Plaintiff has suffered significant economic loss, including but not limited to loss of income and benefits.

AS AND FOR A FIRST CAUSE OF ACTION
TITLE VII - SEXUAL HARASSMENT/HOSTILE WORK ENVIRONMENT

68. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

69. The aforesaid acts of intentional sexual harassment, including the hostile work environment for women, perpetrated by Defendant NORTH SHORE, its officers, directors, supervisors, managers, and/or employees, and the aforesaid acts of retaliation by Defendant

NORTH SHORE for Plaintiff's failure to comply with sexual advances and sexually inappropriate conduct, violated Plaintiff JENNY EKHOLM's rights as provided under Title VII of the United States Civil Rights Act of 1964, as amended, Title 42 of the United States Code, Section 2000e-2(a).

70. As a consequence of Defendant's sexual harassment, the sexually hostile work environment, and the retaliation against Plaintiff for refusing to succumb to her supervisor's sexual advances, while Plaintiff was an employee of Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation. In addition, Plaintiff incurred monetary loss as she was subjected to adverse employment actions, including disparate pay, culminating in her constructive termination.

71. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has sustained damage in the sum of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS compensatory damages, TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS punitive damages, plus economic damages and attorneys fees.

AS AND FOR A SECOND CAUSE OF ACTION

NYSHRL - SEXUAL HARASSMENT/HOSTILE WORK ENVIRONMENT

72. Plaintiff JENNY EKHOLM repeats and realleges each and every allegations contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

73. The aforesaid acts of intentional sexual harassment, including a hostile work environment for women, by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, and the aforesaid acts of retaliation by Defendant for Plaintiff's

refusal to comply with sexual advances and inappropriate sexual conduct, violated Plaintiff JENNY EKHOLM's rights as provided under New York State Human Rights Law - Executive Law Section 290 et. seq.

74. As a consequence of Defendant NORTH SHORE's sexual harassment, its sexually hostile work environment, and the retaliation against Plaintiff for refusing to succumb to her supervisor's sexual advances, while Plaintiff was an employee of Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation. In addition, Plaintiff incurred monetary loss as she was subjected to adverse employment actions, including disparate pay, culminating in her constructive termination.

75. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged in the sum of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS.

AS AND FOR A THIRD CAUSE OF ACTION
NYCHRL - SEXUAL HARASSMENT/HOSTILE WORK ENVIRONMENT

76. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

77. The aforesaid acts of intentional sexual harassment, including a hostile work environment for women by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, perpetrated against Plaintiff JENNY EKHOLM violated Plaintiff JENNY EKHOLM's rights as provided under New York City Human Rights Law Title 8

("NYCHRL"), et. seq.

78. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM sustained conscious pain and suffering, great mental distress, and humiliation, and incurred economic loss.

79. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged and is entitled to compensatory damages and punitive damages in the sum prescribed by NYC Human Rights Law Title 8, et. seq., i.e., compensatory damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS and punitive damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS, as well as attorneys fees.

AS AND FOR A FOURTH CAUSE OF ACTION

TITLE VII -GENDER DISCRIMINATION

80. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 with the same force and effect as though more fully set forth at length herein.

81. The aforesaid acts of intentional gender discrimination by Defendant NORTH SHORE, its officers, directors, supervisors, managers, and/or employees, violated Plaintiff JENNY EKHOLM's rights as provided under Title VII of the United States Civil Rights Act of 1964, as amended, Title 42 of the United States Code, Section 2000e-2 (a).

82. As a consequence of Defendant's gender discrimination while Plaintiff was an employee of Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation. In addition, Plaintiff

incurred monetary loss as she was subjected to adverse employment actions, including disparate pay, culminating in her constructive termination.

83. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has sustained damage in the sum of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS compensatory damages and punitive damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS, plus economic damages and attorneys fees.

AS AND FOR A FIFTH CAUSE OF ACTION
NYSHRL - GENDER DISCRIMINATION

84. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

85. The aforesaid acts of intentional gender discrimination by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, violated Plaintiff JENNY EKHOLM's rights as provided under New York State Human Rights Law - Executive Law Section 290 et. seq.

86. As a consequence of Defendant NORTH SHORE's gender discrimination while Plaintiff was an employee of Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation. In addition, Plaintiff incurred monetary loss as she was subjected to adverse employment actions, including disparate pay, culminating in her constructive termination.

87. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged in the sum of TWENTY-FIVE MILLION

(\$25,000,000.00) DOLLARS.

AS AND FOR A SIXTH CAUSE OF ACTION
NYCHRL - GENDER DISCRIMINATION

88. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

89. The aforesaid discriminatory acts by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, perpetrated against Plaintiff JENNY EKHOLM because of her female gender violated Plaintiff JENNY EKHOLM's rights as provided under New York City Human Rights Law Title 8 ("NYCHRL"), et. seq.

90. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM sustained conscious pain and suffering, great mental distress, and humiliation, and incurred economic loss.

91. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged and is entitled to compensatory damages and punitive damages in the sum prescribed by NYC Human Rights Law Title 8, et. seq., i.e., compensatory damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS and punitive damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS, as well as attorneys fees.

AS AND FOR A SEVENTH CAUSE OF ACTION

TITLE VII - RETALIATION

92. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

93. The aforesaid acts of intentional retaliation by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, violated Plaintiff JENNY EKHOLM's rights as provided under Title VII of the United States Civil Rights Act of 1964, as amended, Title 42 of the United States Code, Section 2000e-2(a).

94. As a consequence of Defendant's retaliation against Plaintiff during her employment at Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation, and incurred monetary loss and various adverse employment actions, including but not limited to lack of promotion, disparate pay, an increased workload, unfair disciplinary action, and ultimately constructive termination.

95. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has sustained damage in the sum of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS compensatory damages and punitive damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS, plus economic damages and attorneys fees.

AS AND FOR AN EIGHTH CAUSE OF ACTION
NYSHRL - RETALIATION

96. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

97. The aforesaid acts of intentional retaliation against Plaintiff by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, violated Plaintiff JENNY EKHOLM's rights as provided under New York State Human Rights Law - Executive Law Section 290 et. seq.

98. As a consequence of Defendant's retaliation against Plaintiff while she was an employee of Defendant NORTH SHORE, Plaintiff sustained conscious pain and suffering, physical injury, great mental distress, shock, fright and humiliation, and incurred monetary loss, and was subjected to other adverse employment actions, including but not limited to lack of promotion, disparate pay, increased workload, unfair disciplinary actions, and ultimately her constructive termination.

99. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged in the sum of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS.

AS AND FOR A NINTH CAUSE OF ACTION
NYCHRL -RETALIATION

100. Plaintiff JENNY EKHOLM repeats and realleges each and every allegation contained in paragraphs 1 through 67 inclusive, with the same force and effect as though more fully set forth at length herein.

101. The aforesaid intentional retaliation by Defendant NORTH SHORE, its officers, directors, supervisors, managers and/or employees, perpetrated against Plaintiff JENNY EKHOLM violated Plaintiff JENNY EKHOLM's rights as provided under New York City Human Rights Law Title 8 ("NYCHRL"), et. seq.

102. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM sustained conscious pain and suffering, great mental distress, and humiliation, and incurred economic loss.

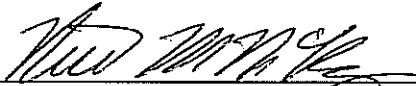
103. As a consequence of the foregoing misconduct of Defendant NORTH SHORE, Plaintiff JENNY EKHOLM has been damaged and is entitled to compensatory damages and punitive damages in the sum prescribed by NYC Human Rights Law Title 8, et. seq., i.e., compensatory damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS and punitive damages of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS, as well as attorneys fees.

WHEREFORE, Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the First Cause of Action in the amount of FIFTY MILLION (\$50,000,000.00) DOLLARS; Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Second Cause of Action in the amount of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS; Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Third Cause of Action in the amount of FIFTY MILLION (\$50,000,000.00) DOLLARS; Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Fourth Cause of Action in the amount of FIFTY MILLION (\$50,000,000.00); Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Fifth Cause of Action in the amount of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS; Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND

JEWISH HEALTH SYSTEMS in the Sixth Cause of Action in the amount of FIFTY MILLION (\$50,000,000.00) DOLLARS; Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Seventh Cause of Action in the amount of FIFTY MILLION DOLLARS (\$50,000,000.00); Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Eighth Cause of Action in the amount of TWENTY-FIVE MILLION (\$25,000,000.00) DOLLARS; and Plaintiff JENNY EKHOLM demands judgment against Defendant NORTH SHORE LONG ISLAND JEWISH HEALTH SYSTEMS in the Ninth Cause of Action in the amount of FIFTY MILLION DOLLARS (\$50,000,000.00), all together with the costs and disbursements of this action, including attorneys fees, plus interest, and for any other relief which this Court deems just and proper.

Dated: New York, New York
May 9, 2006

MORELLI RATNER PC

By: 
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